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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/426,143	10/22/1999	JOHN WAINWRIGHT	49658-034	1474

7590 02/09/2005

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EXAMINER	
HARRISON, CHANTE E	

ART UNIT	PAPER NUMBER
2675	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/426,143	WAINWRIGHT, JOHN	
	Examiner	Art Unit	
	Chante Harrison	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,7-16 and 18-22* is/are pending in the application.

4a) Of the above claim(s) *4,6 and 17* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,7-16 and 18-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: RCE, filed on 1/14/05.

2. Claims 1-3, 5, 7-14, 16 and 18-22 are pending in the case. Claims 1, 8, 12, and 18 are independent claims. Claims 1, 8, 10, 12 18 and 20 have been amended. Claims 6 and 17 have been withdrawn.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3, 5, 7-14, 16, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over John Merrill et al., U.S. Publication 2002/0008703 A1, 1/2002.

As per independent claim 1, Merrill discloses detecting that a statement contains an operation identifier, pattern-matching criteria, and attribute identifier...(pp. 13, Para 168-169; pp. 19, Para 324-327), and executing the statement by identifying said set of graphical components associated with identifiers that satisfy pattern matching criteria (pp. 20, Para 340), performing the operation on the attribute of each graphical component in the set of graphical components that satisfy said pattern matching criteria

(pp.7, Para 87-88; pp. 20, Para 341), altering state information corresponding to each graphical component in said set of graphical components to generate a frame within an animation (pp. 21, Pare 352, 356, 358, 361).

Merrill fails to specifically disclose a computer-aided design software environment and a statement that is executed by identifying identifiers and performing operations on the object.

Merrill teaches a visual basic programming environment which uses an OLE control as an interface, where the OLE control acts as a thin software layer that enables programmatic access to the methods and properties of the software objects in the animation server based on control requests invoked by a user/developer through creation of an application (pp. 12, Para 150). Merrill also teaches processing a script that identifies an agent object (i.e. operation identifier) having an associated property (i.e. attribute identifier) and outputs the behavior (i.e. operation) of the object as specified by the script command. The citation in Merrill's disclosure corresponding to the claim feature, executing a statement by identifying all objects associated with identifiers, is interpreted as having one object identified as associated with identifiers out of all possible objects.

It would have been obvious to one of skill in the art to incorporate a CAD environment with the disclosure of Merrill because the visual basic program environment uses an interface to accept user commands that are used by the program to manipulate graphical components of objects based on program commands in the same manner as a CAD program as defined in the background of Applicant's

specification (pp. 2). Additionally, it would have been obvious to one of skill in the art to incorporate a statement that is executed by identifying identifiers and performing operations on the object with the disclosure of Merrill because a script is a statement or collection of statements; and by associating properties with a script that specify behavior of objects as output corresponds to the statements in the script performing an operation on the object based on the associated attributes.

As per dependent claim 2, Merrill discloses a first character string containing a wild card character and that specifies pattern-matching criteria (pp. 10, Para 128, 129; pp. 13, Para 156 "Clients...access...animation...using...agent object's interface"; pp. 13, Para 169) and that specifies pattern-matching criteria (pp. 20, Para 340).

As per dependent claim 3, Merrill discloses the first string of characters as part of a second string of characters and the second string of characters including an attribute identifier in a format that conforms to object-dot notation (pp. 19, Para 324).

As per dependent claim 5, Merrill discloses a scripting language (col. 10, ll. 50-60) and a script processor (pp. 1, Para 11; Fig. 12).

As per dependent claim 7, Merrill discloses the statement containing pattern matching criteria for a hierarchical identifier (pp. 11, Para 142).

As per independent claim 8, Merrill discloses identifying an attribute of a member of a collection of graphical components (pp. 23, Para 419). Claim 8 claims a method as claimed in claim 1, therefore the rational applied in the rejection of claim 1 applies herein.

As per dependent claims 9 and 19, Merrill discloses a collection of graphical components is an array (pp. 11, Para 141).

As per dependent claims 10 and 20, Merrill discloses said collection of graphical components (i.e. container objects) includes all instances of a native type (i.e. object properties) of graphical components...(pp. 12, Para 144, Para 150).

As per dependent claim 11, Merrill discloses said native type (i.e. property) is a type of graphical component, wherein the type defines a surface (pp. 9-10, Para 119) "COM interfaces allow the...system to obtain information about the character in general...they provide access to all of the character's properties..." (pp. 11, Para 140 "A property is an attribute, such as a color...").

Merrill fails to specifically disclose a map type of graphical component.

Merrill teaches properties having different types (pp. 11, Para 141), and defining all object attributes including color, which represents the color of the animated object surface.

It would have been obvious to one of skill in the art to incorporate a map type of graphical component with disclosure of Merrill because an object's color attributes define a property of the object surface as does a map type graphical component.

As per independent claim 12, Merrill discloses computer readable medium (pp. 23, Para 420) for performing the method claim 1. Therefore the rationale applied in the rejection of claim 1 applies herein.

As per dependent claims 13-14 and 16, refer to the above rejections as applied to claims 2-3 and 5, respectively.

As per independent claim 18, Merrill discloses computer readable medium (pp. 23, Para 420) for performing the method claim 8. Therefore the rationale applied in the rejection of claim 8 applies herein.

As per dependent claims 21 and 22, Merrill discloses changing the value of another attribute, the other attributes not associated with the identifiers that satisfy said pattern matching criteria (i.e. the action/change of value corresponding to an animated action of one object is controlled/manipulated to result in the synchronization of that object with the graphical component altered as a result of the pattern matching criteria) (pp. 21, Para 356-358).

Response to Arguments

1. Applicant's arguments filed 1/14/05 have been fully considered but they are not persuasive.

Applicant argues Merrill does not teach detecting a statement having an operation identifier, pattern matching criteria and an attribute identifier in a "computer –aided design software environment".

In reply, Merrill teaches a visual basic programming environment which uses an OLE control as an interface, where the OLE control acts as a thin software layer that enables programmatic access to the methods and properties of the software objects in the animation server based on control requests invoked by a user/developer through creation of an application (pp. 12, Para 150). Merrill's visual basic programming environment corresponds to a CAD system as it functions in the same manner as a CAD system as described in the background of the Applicant's specification (pp. 2).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 703-305-3937. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chante Harrison
Examiner
Art Unit 2672

January 24, 2004

MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
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